

**CLEAN AIR ACT (CAA)**

R6-7-41-A. Noncompliance Penalty: Assessment and Signing Consent Agreements

1. **AUTHORITY.** Pursuant to section 120 of the CAA:
  - a. To assess and receive payment of a noncompliance penalty against every person described in section 120(a)(2)(A) of the CAA; and
  - b. To negotiate and sign consent agreements memorializing settlements between the Agency and respondents under section 120 of the CAA.
2. **TO WHOM DELEGATED.** Director of the Compliance Assurance and Enforcement Division and Director of the Multimedia Division.
3. **LIMITATIONS.**
  - a. Prior to exercising this authority, the Director must consult with the Assistant Administrator of the Office of Enforcement and Compliance Assurance (OECA) or designee.
  - b. The Director of the Multimedia Division may exercise this authority only as it relates to 40 CFR Part 61, Subparts B, H, I, K, Q, R, and W.
  - c. The Agency official who signed the complaint should sign the settlement agreement.
  - d. Note the following:
    - i. The Assistant Administrator for OECA or designee may exercise these authorities in multi-regional cases or in cases of national significance.
    - ii. The Assistant Administrator for OECA or designee must notify any affected Regional Administrators or designees prior to exercising any of the above authorities.
    - iii. The Assistant Administrator for OECA or designee may waive, in writing, the consultation requirements.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may not be further redelegated.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

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5. **SUPERSESSION.** This delegation supersedes previous R6-7-41-A delegations but does not impact activities prior to the issuance of this delegation.
6. **ADDITIONAL REFERENCES.** Section 120(a)(2)(A) of CAA.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

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JAN 19 2017

**MEMORANDUM**

**SUBJECT:** Delegations of Authority

**FROM:** Gina McCarthy

**TO:** Matthew Fritz, Chief of Staff

On Wednesday, January 18, 2017, I signed a number of revisions to EPA Delegations of Authority. In anticipation of my signature on the revised delegations, and to make certain that there were no lapses in authority, many Regional Administrators and Assistant Administrators signed revised re-delegations consistent with my revisions on January 17, 2017. I hereby accept and ratify any such re-delegations as appropriate re-delegations of authority until otherwise revised or revoked. To the extent that any actions taken under the delegated or re-delegated authority described herein may require ratification, such action is hereby approved and ratified.